Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

DOC # 00354976

Affidavits B: 0603 P: 0082

Jayrene B Nielsen Sevier County Recorder Page 1 of 9
07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE 0 国用,例如此的特殊的特殊。(2)中央,其中,这个人的特殊的,这个人的特殊的特殊的。(2)中央,第二十八

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1029d Poverty Flat Road; County Road Number: 6486; State Geographic Information Database (SGID) Road Identification Number: RD210088.

This document supplements and supports the information contained in the document first recorded at **Doc** # 00344682, Bk 0561, Beg Pg 0488, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352497 Bk 0591, Beg Pg 0702. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of Jore, 2008.

By the Governor's Designee

CERTIFICATION

State of Utah : SS

County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 COMMISSION EXPIRES Dated this 25 day of fuse, 200 8.

Pamela 3- Blackham

Notary Public

Exhibit A

DOC # 00354976

Affidavits B: 0603 P: 0083

Jayrene B Nielsen Sevier County Recorder Page 2 of 9
07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE 0

AFFIDAVIT OF JOAN ANDERSON POVERTY FLAT ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6486

State of Utah)
	: ss
County of Sevier)

JOAN ANDERSON, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Marysvale, Piute County, Utah. I have lived in Piute County 65 years.
- 2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road (County Road Number 6486). I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940's and the early 1950's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat Road (County Road Number 6486). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940's and the early 1950's and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks, cars and ATV's. Throughout this time period, the road has been used daily.

- 5. Throughout the time period from the late 1940's and the early 1950's to 2006, I have used the road myself for the following uses: Rock hounding, geo caching, rabbit hunting, wood gathering, and sightseeing.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Ranchers herded livestock through there, and they still do.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs, plus the following uses:

 Recreation, wood gathering, and they were always looking for water out there.
- 8. Prior to 1976, I observed graders performing maintenance/construction activities on the road.

DATED this _____ day of November, 2006.

Joan Anderson JOAN ANDERSON

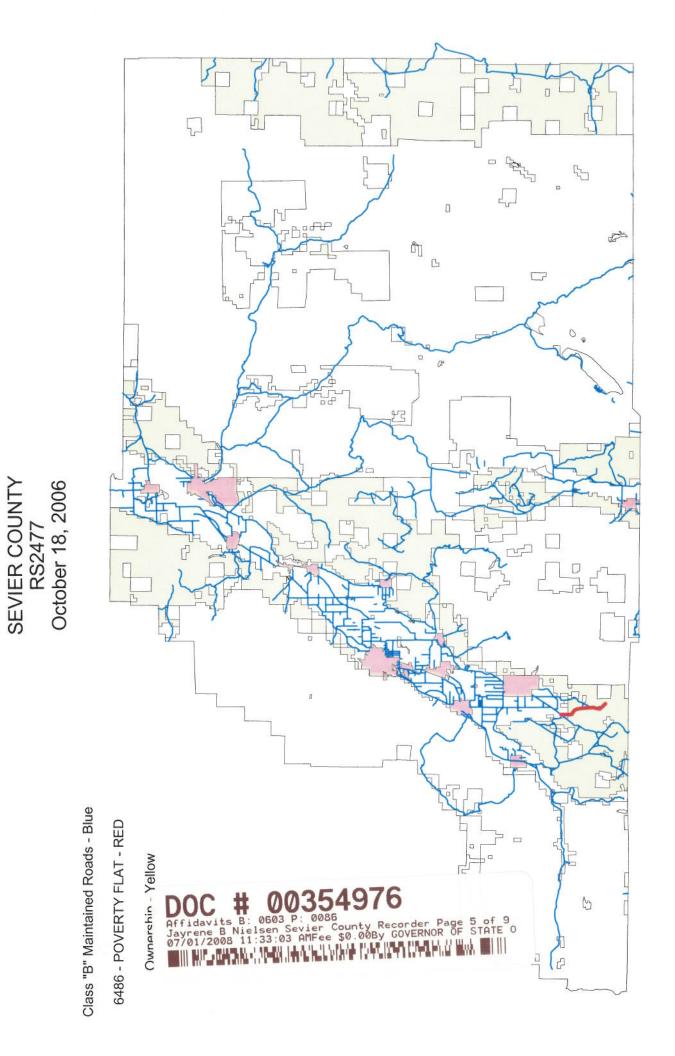
SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10. 2008
State of Utah

NOTARY PUBLIC

DOC # 00354976

Jayrene B Nielsen Sevier County Recorder
7/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE



AFFIDAVIT OF R. KENT PARSONS POVERTY FLAT ROAD SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6486

State of Utah)
	: ss.
County of Sevier)

KENT PARSONS, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Monroe, Sevier County, Utah. I have lived in Sevier County since 1932.
- 2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road (County Road Number 6486). I am also familiar with the land the road traverses. When I first used and observed the road in 1958, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Poverty Flat Road (County Road Number 6486). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- 3. I am informed that the County also identifies this road according to road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1958 and continuing through 1976 to 2006.

 During this time period I have observed travel on the road by various means, including pickup trucks, jeeps, motorcycles, tractors, horses, and four wheelers. During this time period, the road has been used daily.
- 5. During the time period from 1958 to 2006, I have used the road myself for the following uses: access to the television tower poor # 00354076



- 6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: government access, wood gathering, livestock operations, tourism, recreation, hunting, accessing a television translator, and traveling in and through the area.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1958 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed road maintenance equipment performing maintenance/construction activities on the road.

DATED this 25 day of November, 2006.

KENT PARSONS

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

THIS IS NOT A CLEAR NOTARY SEAL

DOC # 00354976
Affidavits B: 0603 P: 0088
Jayrene B Nielsen Sevier County Recorder Page 7 of 9
07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE 0

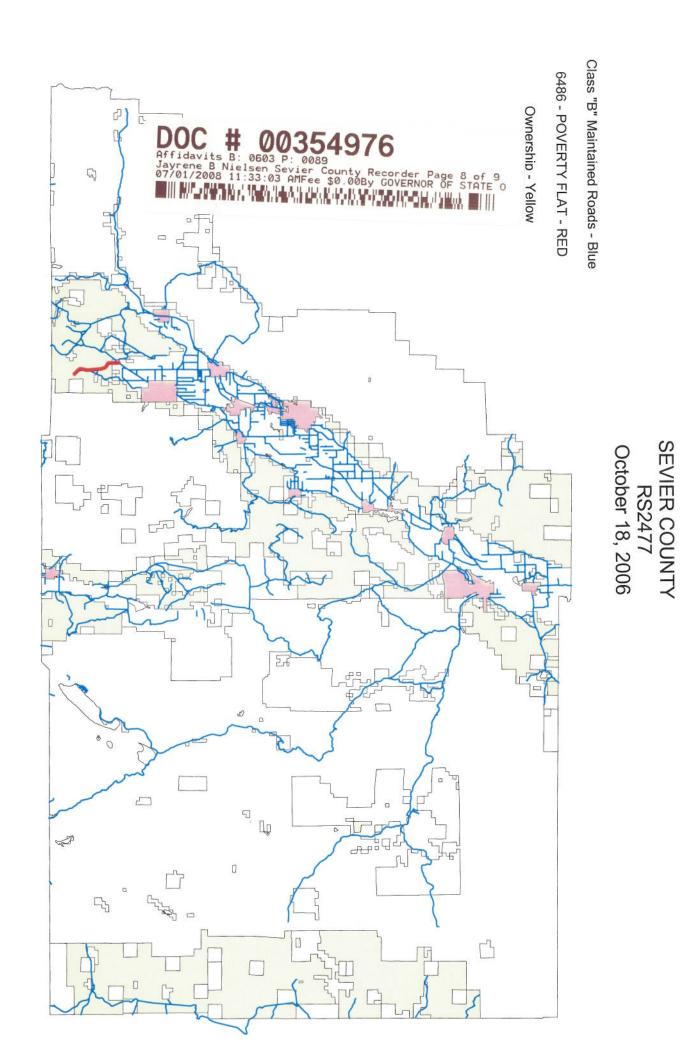


Exhibit B

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 1029d_Poverty Flat Road

County: Sevier

County Road Number: 6486

State Geographic Information Database (SGID) Road Identification Number: RD210088.

Total Road Length: 3.54 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 32 minutes 08.42 seconds North Latitude and -112 degrees 08 minutes 32.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,456,670.7 feet and Y = 6,636,030.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 34 minutes 53.58 seconds North Latitude and -112 degrees 09 minutes 25.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,452,565.7 feet and Y = 6,652,771.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 3 West, Section(s) 32, Salt Lake Base & Meridian Township 26 South Range 3 West, Section(s) 5,8,17, Salt Lake Base & Meridian

Page 1 of 1

DOC # 00354976

Affidavits B: 0603 P: 0090

Jayrene B Nielsen Sevier County Recorder Page 9 of 9
07/01/2008 11:33:03 AMFee \$0.00By GOVERNOR OF STATE 0